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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

NICOLE LOUISE WAGNER,

Plaintiff,

v.

MICHAEL J. ASTRUE,
 Acting Commissioner of
 Social Security,

Defendant.

CIVIL NO. C-10-02413 PJH

STIPULATION AND ORDER FOR
 EXTENSION

IT IS HEREBY STIPULATED by the undersigned for the respective parties, subject to the approval of the Court, that Defendant's time to file her Motion for Summary Judgment shall be extended 29 days to December 30, 2010. This request is due to an unexpected work load increase and absence due to illness. The undersigned Counsel for the Commissioner is one of two attorneys in the Commissioner's office responsible for reviewing all appellate briefs filed in the Ninth Circuit. From the time this Court granted the previous extension and through the first two weeks of December, Counsel has or has had to review 5 appellate briefs for her colleagues in addition to drafting and filing her own briefs in 9 district court cases and one appeal and she had to participate in a hearing in an attorney's fees case. Two of the appellate briefs under review required significantly more editing than expected and the work could not be extended. Counsel has also missed work during this time due to illness. Due to these circumstances, Counsel is unable to complete the Commissioner's brief by November 29, 2010, and

respectfully requests and additional 29 days.

Dated: November 24, 2010

/s/ David J. Linden
(As authorized via email)
DAVID J. LINDEN
Attorney for Plaintiff

MELINDA L. HAAG
United States Attorney

Dated: November 24, 2010

By: /s/ Elizabeth Firer
ELIZABETH FIRER
Special Assistant United States Attorney

PURSUANT TO STIPULATION, IT IS SO ORDERED that Defendant shall have up to and including December 30, 2010, to respond to Plaintiff's Motion for Summary Judgment. FINAL EXTENSION.

Dated: 11/29/10

